

# The Lancaster News.

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## RAILROADS KEEP VALUABLE LAND

Transcontinental Lines Win Test Case.

MILLIONS IN QUESTION.

Petroleum Tracts Worth \$700,000,000 Held to Belong to Pacific Interests.

Washington, June 22.—Title of transcontinental railroads to some \$700,000,000 worth of petroleum land, as against other private claimants, was upheld today by the supreme court in a test suit brought by Edmund Burke of California against the Southern Pacific Railroad company. At the same time Justice Vandeventer, for the court, stated that seemingly the government's right to attack the railroad's title for fraud or error had expired in 1910 or 1901. It was made plain, however, that the government's rights were not involved in the case before the court, and there was no mention of the recent suit brought by the government against the Southern Pacific to regain the lands in question.

Government officials after the decision said they would press the suit. Since the government began to grant lands to transcontinental railroads in 1866, every patent issued to the roads has contained a reservation of exception to the effect that lands in the patent later found to be mineral lands should not pass to the railroads. Such a reservation was contained in patents issued to the Southern Pacific for California lands. In later years found to be rich with oil, Burke claimed the land did not pass to the railroad and sought to enter it as mineral land.

The court held that the land office officials could not perform their duty, imposed on them by Congress, of not patenting mineral lands, by merely inserting the reservation or exception. It held the officials were bound to determine whether the lands were mineral before issuing the patent, and that the patents were binding unless procured by fraud or error. Justice Vandeventer stated that the patents were issued in 1890 and apparently the government had not proceeded to set up any claim of fraud in obtaining them before that time, although the railroads had presented an affidavit that the lands were non-mineral. Therefore, he added, seemingly the right to make the attack had expired in 1900 or 1901.

DROPPED FROM ASSO. OF CHIEFS

William J. Burns Loses Honorary Membership.

Grand Rapids, Mich., June 20.—William J. Burns, the detective today was dropped from honorary membership in the International Association of Chiefs of Police in session here.

No official reason was given for dropping Burns, but it was stated by members of the association that a majority of the delegates informally decided to eliminate him and to do so the honorary membership list was revised and his name omitted.

Several times during the convention police chiefs criticized statements which Burns was alleged to have made concerning police methods. His action in the Leo M. Frank murder case which he investigated in Georgia also brought forth rather caustic comment from some of the delegates.

It also was ordered that all police chiefs, detectives and other officers who are not members of the association and who use its official insignia on their stationery without permission should be legally prosecuted.

The convention resolved that cities which found segregation the best method of controlling the social evil were justified in retaining that policy. Papers were read on both sides of the issue, some declaring against rigid law enforcement and others advocated by the police, including those against the liquor traffic and the social evil.

Aid from Johndee.

London, June 22.—According to the Daily Mail, John D. Rockefeller has sent Miss Eva Booth, commander of the Salvation Army in America, \$11,000 for sufferers from the Em press of Ireland disaster. Miss Booth is here attending the world's congress of the Salvation army.

## BIPLANE RIPS OPEN BIG WAR DIRIGIBLE

Airship Takes Fire, Causing Explosion, Killing Nine Men.

Vienna, June 20.—Nine aviators lost their lives today when a mimic war in the air was suddenly turned into tragic reality by the accidental ripping of a dirigible airship by a biplane while both were flying at a great height during the Austrian army maneuvers.

Both craft were destroyed and their occupants, military and naval officers and non-commissioned officers, were burned and mutilated beyond recognition.

The Austrian army dirigible balloon Coertling ascended at Fischamend, about twelve miles from Vienna, where there is a military aviation station. It was the intention of Captain Johann Hauswirth, the commander, to take photographs of the movements of the troops below, and then to join in the maneuvers.

The aeroplane started half an hour later from the same spot. It was manned by Lieutenants Flatz and Hoosta. The mosquito craft soon overtook her big sister and immediately began a sham attack. After encircling the air ship several times at a height of 1,500 feet the biplane's pilot suddenly maneuvered his craft with the object of taking a position directly above the airship.

The navigator evidently miscalculated his distance or his speed for the nose of the biplane grazed the envelope of the airship and ripped it open.

There was a terrific explosion and the airship took fire. The flames engulfed the biplane and in a few moments the remnants of both crafts crashed on the slopes of a mountain with their occupants.

The bodies were so charred and mangled that they were scarcely recognizable.

The victims are Captain Johann Hauswirth, Lieutenants Ernst Hofseter, Flatz, Hoosta, Bruer and Haidinger, Corporals Hadima and Weber, and Engineer Kammerer.

MISTRIAL IN SULLIVAN'S CASE.

Slayer of John M. Cannon Placed Under \$5,000 Bond.

Laurens, S. C., June 21.—A mistrial was ordered this morning shortly after 8 o'clock by Judge Frank B. Gary in the case of Joseph G. Sullivan, who was placed on trial in the Court of General Sessions for Laurens County Friday morning, charged with the killing of Col. John M. Cannon at Gray Court, May 12. The jury in the case was discharged and the Court formally adjourned, after the Judge directed that the defendant be held for the next term of the Court on a bond of \$5,000, the same amount allowed when the young prisoner was admitted to bail a week after the homicide. The same sureties signed the bond this morning and the defendant soon thereafter left for his home in Sullivan Township, accompanied by his father and a brother, who remained in the city during the night.

As stated in these dispatches last night, the case was given to the jury shortly before 6 o'clock yesterday afternoon. After deliberating on the case for some time the jury fled back into the Court room and asked for further explanation on some points at issue in the trial. This was given and again the trial jury retired. At midnight it was evident to the outside that a disagreement on a verdict would be the result, but there was no indication from the jury room after the second retirement that an agreement was likely during the night. It is understood the jury was hopelessly divided from the first.

Railroads Not Liable.

Washington, June 22.—Railroads are not liable for injury to employees of interstate carriers, or members of their families while riding on free passes, containing stipulations that the passenger assumes all risks while being so transported. The supreme court so held today in reversing a judgment, procured by Lizzie Thompson, wife of a track hand at Augusta, Ga., for \$1,300 for injuries sustained in a railroad collision near McCormick, S. C., in 1910.

The court held a pass is not to be regarded as part of the compensation for which the employee works, but is in reality "free" and subject to any conditions the railroad may impose.

## WEEK-END SHOW HEALTHILY TAME

The Campaign Meeting in Georgetown Very Quiet.

ATTENDANCE NOT LARGE.

Small in Consideration of Present Tenseness of Political Conditions There.

Georgetown, June 20.—The meeting addressed by candidates for offices today was healthily tame. The attendance was small in view of the tenseness of the political situation in Georgetown in the past. Charles Carroll Simms, candidate for governor, rejoined the party. In his speech he professed his loyalty to the governor, but denied that he was a "coat-tail swinger."

A. L. King acted as chairman in the absence of Dr. W. M. Gaillard, county chairman. The Rev. H. B. Jones made the opening prayer. The meeting followed the same lines as the three which have preceded it.

The candidates for lieutenant governor spoke in second place. B. Frank Kelley predicted that unless the right men were elected to the general assembly taxes would be higher in few years than they were in the days of Scott and Moses. Andrew J. Bethea said the new enrollment rules adopted by the State Democratic convention were constructive and would benefit the party. Wm. M. Hamer declared it as his opinion that this summer a governor would be elected of which the state would be proud. J. A. Hunter gave his platform, which embraced economy in government, honest elections and better educational advantages.

PEEPLER DEFENDS RECORD.

Thomas H. Peeples, running for reelection as attorney general, challenged his opponent, A. G. Brice, to attack his record. Mr. Brice replied that every intelligent man should know Mr. Peeples' record as attorney general and he was not inclined to criticize its weaknesses, preferring to run on his own merits.

W. C. Irby, Jr., advocated State aid to assist industrious hardworking white men to own their homes. He said under this plan negro renters would gradually be replaced by white settlers, and the negroes could go to some other State. "Or to the Yankees who have said for so long that they loved them so well."

MANNING FOR EDUCATION.

Education, improvement of the rural conditions, support of the State health department, drainage, good roads, local option on the liquor question, were some of the issues touched on by Richard I. Manning. He again stressed enforcement of the law, and advocated conservatism in the use of the pardoning power.

John G. Richards said that in holding public office he had tried to be true to the interests of the people. Again Mr. Richards predicted that the new rules of the Democratic party—"restrictions," he called them—would prevent between 15,000 and 20,000 men from voting and declared his opposition to compulsory education.

"I don't believe you have a right to turn school trustees into any man's home and put his little children in their power," said Mr. Richards, who was vigorously applauded when he finished.

Charles Carroll Simms of Barnwell speaking for the first time since the Sumter meeting, said he did not apprehend that he was a "coat-tail swinger" because he was a friend of Gov. Blease.

"God forbid that I should repudiate any friend to get an office," said Mr. Simms.

"I have no particular laws I wish passed," continued Mr. Simms. "On the contrary I think we have too much legislation."

Mr. Simms said he had been a friend of Gov. Blease because the chief executive had stood for the interests of the people on question of education and other things.

"If that be 'coat-tail swinger,' if that be treason, make the most of it," exclaimed Mr. Simms.

The speaker found fault with the State convention for passing the new rules governing the primary elections raising various objections against the

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## NO ROUGH RIDING IN CITY BY THE SEA

Senatorial Candidates' Meeting Duly Decorous.

GOVERNOR UNDER FIRE.

Follock and Jennings Assail His Record From Various Points of View.

Charleston, June 20.—Those who believed that there would be booted and spurred roughriding in Charleston when the United States senatorial candidates appeared saw their anticipations collapse today with a lame and impotent conclusion. The City by the Sea is noted for its partisan strife. But with the exception of the Dorchester county meeting, the Charleston crowd today was the least tempestuous of those of the four counties which have been visited.

It was not until 4 o'clock that the meeting was called to order in the German Artillery hall, with Leland Moore county chairman, presiding. Not more than 600 of the more than 6,000 voters of the county—the estimate is based on the vote in the primary of 1912—heard the four candidates.

The meeting was featured by the scathing attacks which the post entrants are making on the governor's record and which was uproariously applauded here in Charleston today.

"HELL NEVER GO THERE."

When they reminded Charlestonians of the inconsistency of the chief executive's practices and his preaching and asked the audience if South Carolina could afford to have the governor in Washington as her representative, the answer came back "Hell never go there. We can't afford it."

Gov. Blease is following again this year the custom he established in the campaign of two years ago of leaving the stage as soon as he has finished speaking. He followed Senator Smith, the first speaker today and as soon as he had concluded left the hall without hearing the remaining two, and consequently missed the hornet's nest which was drawn about his ears. A number of people left with him. How many it is hard to say. Some estimates put it as high as 100, while many conservative persons at a point of vantage on the stage claim that not more than 25 left the room, many of those getting up stopping near the door.

SMITH OUTLINES RECORD.

As there were only a limited number of farmers in the audience Senator Smith switched somewhat from his customary cotton speech and dwelt more extensively upon his record in upholding the national Democratic administration's hands.

The crowd was made up largely of intelligent business men and the senator was generously applauded as he discussed the peculiar advantage of the new banking and currency law which he amended with the farmers' time extension feature, and explained the direct benefits of the tariff reform measure. Senator Smith also took up, though not in routine detail, the cotton exchange regulation bill and the appropriation measure, which provides for placing a set of standardized gins on all cotton platforms in the South.

No utterance of the entire campaign has received a more vigorous response than the tribute which he paid to Woodrow Wilson, "who has never had in equal in the White House when it comes to purity of heart, clearance of head and brilliancy of intellect."

WILL LET THEM RUN.

Gov. Blease said he had no apology to make for the "hands off" policy as regards the enforcement of law in Charleston. He believed in local self-government, he said and would never call out the State militia to enforce the law in Charleston until the mayor or Sheriff Martin appealed to him. If these had been derelict in duty, the fact had never been brought to his attention, he asserted. Justifying his indifference, he continued: "I'm no spy. I was under no obligation to come down here to see if race track gambling was going on. I did not run down to see if you were selling whiskey. I didn't have to. I'll be governor the next six months, and the

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## EXCLUDES MILITIA OF SOUTH CAROLINA

Garrison Withdraws Invitation to Join in Encampment, Says Compulsaries Are Short.

Washington, June 20.—The invitation extend by the war department to Governor Blease of South Carolina to have the organized militia of that State participate in the manoeuvre camp to be held in Augusta, Ga., next month has been withdrawn because of the failure of the South Carolina militia to meet the requirement of the Dick militia law as construed by the law official of the department.

The attention of Governor Blease some months ago was called by the war department to the short comings of the South Carolina militia in the matter of missing equipment and shortage of men in the various grades. The result was some spirited correspondence between the governor and the Secretary of War. Finally Governor Blease undertook to meet the requirements of the department.

Trouble later arose between the Governor and the Secretary of War over the location of the proposed joint encampment on the Isle of Palms, S. C., Secretary Garrison finally peremptorily transferred this camp to Augusta, Ga. Since then reports from the officers of the war department have disclosed the fact that the South Carolina militia still is deficient in the various matters complained of originally, and Secretary Garrison therefore has felt obliged to withdraw the department's invitation to participate in the manoeuvre camp to be held in Augusta.

So far South Carolina is the only Southern State which will be excluded from the manoeuvres on this occasion.

## SHOWMAN KILLED BY FURIOUS LIONS

Mighty Beast Escapes and Terrorizes Community—Armed Men Guard Cage.

Chicago, June 21.—Five lions, part of a troupe of performing animals used in a theatrical production, tonight killed and partly mangled Emerson D. Dietrich, of Brooklyn, member of the company in which they appeared. Only when Dietrich's body had been covered with a strong disinfectant were the rescuers able to drive back the enraged beasts and with a pole in the hands of city firemen recover the body.

The slain lion in the cage the oldest of the troupe of ten, fought at first to save Dietrich, but was driven aside by the others.

While the keeper was trying to recover the body a lion escaped from an adjoining den, leaped from the cage in which they were caged and terrorized residents of the thickly populated downtown quarters, where the cage had been taken. The lion was finally driven back to its cage having harmed no one.

Dietrich was known on the vaudeville stage as a high diver. He also had staged a series of automobile polo games. He was engaged to marry Mme. Adie Castillo, to whom the lions belonged.

A force of police armed with rifles tonight guarded the cage of lions. Their taste of blood apparently had aroused all to a high pitch, and all night they maintained an uproar that could be heard for blocks.

UNSETTLED WEATHER.

Showers Will Prevail First Few Days Then Generally Clear Skies.

Washington, June 21.—Unsettled, showery weather will prevail Monday over the Northern districts East of the Rocky Mountains, the weather Bureau predicted tonight, probably continuing Tuesday in the middle Atlantic States and New England, with generally fair weather following the remainder of the week.

"Over the Southern half of the country," the bulletin continued, "generally fair weather will prevail throughout the week except in Florida, where occasional local thunderstorms are probable."

It will be warmer early in the week in the East but unusually high temperatures are not expected, and moderate temperatures will prevail during most of the week over the Northern districts East of the Rockies.

In the South and Southwest temperatures will be rather high.

"West of the Rocky Mountains fair weather will prevail with moderate temperatures."

## 200 MINERS BURNED IN A WRECKED MINE

600 Men Working in Shaft, 350 Escape From Explosion.

50 RESCUED BUT 36 DIE.

Countryside Near Lethbridge, Alberta, Shaken; Cabins Demolished by Terrific Shock.

Lethbridge, Alberta, June 19.—A mighty explosion today entombed 250 miners employed in mine No. 20 of the Hiorest Collieries Limited. Of the 50 miners rescued only 14 were living tonight.

Despite the efforts of two scores of experts working amid the poisoned gases and debris, hope of rescuing alive the 200 men yet in the mine was remote.

The effects of the disaster were: Men in mine when explosion occurred 600, of whom 350 escaped.

Number rescued 50, of whom 36 died later.

Miners still entombed 200, probably killed by fire which followed the explosion.

At dusk a group of women stood at the mouth of the mine which had been closed by the explosion, still hopeful that the cries for help that came below earlier in the day might be repeated. Later however, many of the women dispersed expressing the general belief that the situation of those imprisoned was hopeless.

The explosion which occurred about 9 a. m., shook the countryside, lifted roofs from many cabins and demolished numerous small buildings. Then a score of panic-stricken surface workers rushed from the mine followed by a dense cloud of smoke and poisonous fumes.

APPEALS FOR HELP.

Appeals for help were dispatched to many towns, and residents organized an emergency crew and began the work of rescue.

When the first rescue crew arrived a large force of men set about to clear the shaft working desperately as the moans of the entombed men came feebly from the mine. The moans became fainter and finally ceased. Thousands of tons of rock have fallen into the mine and it is feared the men, even had they escaped death from the poisonous fumes, probably were crushed by falling debris.

No information as to what caused the explosion has been given but it is believed it was due to gases.

Thomas Quigley superintendent of mine, is entombed.

Early tonight two trains filled with expert mine workers, doctors, nurses and officials of railways arrived and the work of rescue was begun in a systematic way. The experts found jumbled in a chaotic mass, horses, timbers, wagons and mining paraphernalia indicating the force of the explosion.

Fire broke out soon after the explosion, but was extinguished. Gas fumes made it impossible for the men to work effectively for several hours.

The explosion tore out both ends of the pit and blocked up the interior. Most of the miners working about 400 feet below the surface, are foreign-born, but a large number of them are English-speaking.

The rescue work progressed rapidly and late tonight the entrance, were recovered alive near the entrance and a little farther on a few bodies were found.

General Moore Finds All His Efforts Unsuccessful.

Washington Special to The State, June 22.—A conference today between Adj. Gen. Moore of South Carolina and General Mills, head of the militia division of the war department, in an effort to have the department allow part of the South Carolina militia to attend the encampment at Augusta was unsuccessful. General Mills told General Moore that nothing could be done and the latter left for home tonight.

Eulogy for "Big Tim."

Washington, June 21.—The house today devoted an hour and a half's session to eulogies of the late Representative Timothy D. Sullivan of New York city. About 100 of "Big Tim's" relatives and personal and political associates occupied the galleries.